

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

GOOD SAMARITAN HOSPITAL,

Plaintiff,

-vs-

Case No. 3:05-cv-308

**COMMUNITY INSURANCE COMPANY,
et al.,**

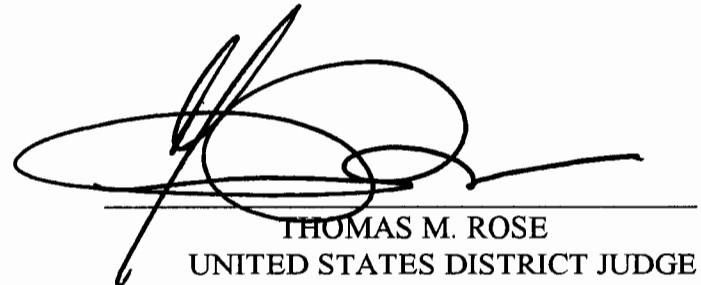
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of the United States Magistrate Judge Michael R. Merz (Doc. #25), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on January 24, 2006, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that Plaintiff's Complaint as to Defendant Yvonne and David Sherrer be dismissed without prejudice for lack of prosecution.

January 25, 2006.



THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE